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09/715,045	11/20/2000	Vijay Machiraju	US 30004771	6857

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EXAMINER

PHILLIPS, HASSAN A

ART UNIT

PAPER NUMBER

2153

DATE MAILED: 12/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/715,045

Applicant(s)

MACHIRAJU ET AL.

Examiner

Hassan Phillips

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 November 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other: \_\_\_\_

## DETAILED ACTION

### *Specification*

The specification of the disclosure is objected to because proper headings are missing, (i.e. BACKGROUND OF THE INVENTION, BRIEF SUMMARY OF THE INVENTION, DETAILED DESCRIPTION OF THE INVENTION, etc.). Correction is required.

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

### **Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or  
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (e) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) BRIEF SUMMARY OF THE INVENTION.
- (g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (h) DETAILED DESCRIPTION OF THE INVENTION.
- (i) CLAIM OR CLAIMS (commencing on a separate sheet).

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- (j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

The abstract of the disclosure is objected to because it contains more than one paragraph, and extensive design details are given. Correction is required. See MPEP § 608.01(b).

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Applicant is also reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In order to clarify the claim language "sharing within the data", line 5, should have read, "...sharing, within the data..."

### ***Drawings***

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: reference numeral 88, pg. 9, line 20. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 8, 9 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Crawley et al. U.S. Patent 5,995,503.

Crawley et al. discloses a method of sharing resources in a connectionless network comprising:

- a) a network including at least two network elements (col. 3, lines 57-65);
- b) broadcasting data over the network by a first network element, indicating the resources of the first network element available for sharing, within the data (col. 4, lines 64-67, col. 5, lines 1-11).
- c) requesting the use of at least part of the available resources of a first network element by a second network element (col. 5, lines 27-30);
- d) executing a task by co-operation of first and second network elements (col. 5, lines 32-36);
- e) broadcasting resource reservation advertisements over the network (col. 5, lines 14-26).

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It is inherent that resources of a first network element are released by a second network element upon completion of a task since resource reservation advertisements are broadcasted over the network. If resources were to never be released upon completion of a task, there would be no need for the broadcasting of resource reservations.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crawley et al. U.S. Patent 5,995,503, and further in view of Morris et al. U.S. Patent Pub. No. 2003/0149794.

Regarding claims 3, 6, 10 and 11, although the disclosed method of Crawley et al. shows substantial features of the claimed inventions, it fails to explicitly disclose:

- a) providing the network in the form of a piconet, or wide band short-range wireless network.

Nevertheless, in a similar field of endeavor, Morris et al. discloses a method for management of an extended network comprising:

- a) providing the network in the form of a piconet (pg. 2, paragraph 15).

It is well known in the art that wireless networks are taking the place of many non-wireless networks. Given the teachings of Morris et al., it would have been obvious to a person of ordinary skill in the art, at the time of the present invention, to modify the teachings of Crawley et al. with Morris et al., in order to have network elements in a wide band, short range wireless network, or piconet. The motivation for doing so would have been to utilize mobile devices such as laptops, pda's etc. as the network elements in the method disclosed by Crawley et al. Therefore, the claimed inventions would have been an obvious modification of the methods disclosed by Crawley et al., in view of Morris et al.

Regarding claim 4, although the disclosed method of Crawley et al. shows substantial features of the claimed inventions, it fails to explicitly disclose:

- a) providing at least one of the network elements in the form of a mobile device.

Nevertheless, Morris et al. discloses a method for management of an extended network comprising:

- a) providing the network elements in the form of a mobile device (pg. 2, paragraph 16).

It is well known in the art that mobile devices are very convenient, and would have been present in most networks at the time of the invention. Given the teachings of Morris et al., it would have been obvious to a person of ordinary skill in the art, at the time of the present invention, to modify the teachings of Crawley et al. with Morris et al.,



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in order to have mobile devices as the hosts in the network disclosed by Crawley et al. The motivation for doing so would have been to provide convenient wireless devices such as laptops, pda's etc. as the hosts in the method disclosed by Crawley et al. Therefore, the claimed inventions would have been an obvious modification of the methods disclosed by Crawley et al., in view of Morris et al.

Regarding claim 5, although the disclosed method of Crawley et al. shows substantial features of the claimed inventions, it fails to explicitly disclose:

- a) providing geographically distributed wireless base stations.

Nevertheless, Morris et al. discloses a method for management of an extended network comprising:

- a) providing a geographically distributed wireless base station (pg. 1, paragraph 3).

It is well known in the art that mobile nodes can communicate with each other by means of a base station. Given the teachings of Morris et al., it would have been obvious to a person of ordinary skill in the art, at the time of the present invention, to modify the teachings of Crawley et al. with Morris et al., in order to have a wireless network comprising geographically distributed wireless base stations. The motivation for doing so would have been to provide a communication means between the mobile devices, incase they were out of range of each other. Therefore, the claimed inventions would have been an obvious modification of the methods disclosed by Crawley et al., in view of Morris et al.

Regarding claims 7, and 13, although the disclosed method of Crawley et al. shows substantial features of the claimed inventions, it fails to explicitly disclose:

- a) providing memory, a network connection, processing power, a power source, or a cheap connection as the resource to be shared.

Nevertheless, Morris et al. discloses a method for management of an extended network comprising:

- a) providing a network connection as the resource to be shared (pg. 3, paragraph 22).

It is well known in the art that memory, network connections, processing power, and power sources are all desirable resources for sharing. Given the teachings of Morris et al., it would have been obvious to a person of ordinary skill in the art, at the time of the present invention, to modify the teachings of Crawley et al. with Morris et al., in order to provide a network connection as the resource to be shared. The motivation for doing so would have been to provide available resources to separate networks. Therefore, the claimed inventions would have been an obvious modification of the methods disclosed by Crawley et al., in view of Morris et al.

Claims 2, 14-18, 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crawley et al., and further in view of Choudhury et al. U.S. Patent No. 5,719,854.

Regarding claim 2, although the disclosed method of Crawley et al. shows substantial features of the claimed invention, it fails to disclose:

- a) first and second network elements negotiating a cost for the resources.

Nevertheless, in a similar field of endeavor, Choudhury et al. discloses a method for accessing shared resources comprising:

- a) negotiating the cost of a shared resource with a network element (col. 12, lines 19-34).

It is well known in the art that there can be a cost associated with utilizing particular resources. Given the teachings of Choudhury et al., it would have been obvious to a person of ordinary skill in the art, at the time of the present invention, to modify the teachings of Crawley et al. with Choudhury et al., in order to negotiate a cost for the resources providing a QoS. The motivation for doing so would have been to prevent network elements from utilizing the resources unnecessarily. Therefore, the claimed invention would have been an obvious modification of the methods disclosed by Crawley et al., in view of Choudhury et al.

In considering claim 17 see Choudhury et al., Fig. 4, 406.

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Crawley et al., and further in view of Agrawal et al. U.S. Patent No. 4,800,488.

Regarding claim 19, although the disclosed method of Crawley et al. shows substantial features of the claimed invention, it fails to explicitly disclose:

- b) a fulfillment phase including the passing of a result of a task to a second network element.

Nevertheless, in a similar field of endeavor, Agrawal et al. discloses a method for propagating resource information in a computer network comprising:

- b) a communication protocol wherein the fulfillment phase includes the execution of a task by a first network element (col. 3, lines 34-37, col. 4, lines 24-28);
- c) a communication protocol wherein the fulfillment phase includes passing of a result a task to a second network element (col. 3, lines 43-54).

It is well known in the art that results can be passed back to network elements requesting remote execution of a task. Given the teachings of Agrawal et al., it would have been obvious to a person of ordinary skill in the art, at the time of the present invention, to modify the teachings of Crawley et al. with Agrawal et al., in order to have a first network element send a result of a task to a second network element. The motivation for doing so would have been to provide the requesting network element a result of the task, which needed additional resources to complete. Therefore, the claimed invention would have been an obvious modification of the methods disclosed by Crawley et al. in view of Agrawal et al.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Crawley et al., U.S. Patent 5,995,503 discloses a method for sharing resources in a connectionless network.

Morris et al., U.S. Patent Pub. No. 2003/0149794 discloses a method for management of an extended network containing short-range wireless links.

Agrawal et al., U.S. Patent 4,800,488 discloses a method of propagating resource information in a computer network.

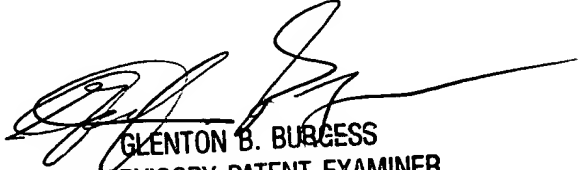
Choudhury et al., U.S. Patent 5,719,854 discloses a telecommunication system and method for accessing shared resources.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hassan Phillips whose telephone number is (703) 305-8760. The examiner can normally be reached on M-F 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (703) 305-4792. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

hp/  
11/18/03

  
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